

ORDINANCE NO. 4853

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLensburg, WASHINGTON, RELATING TO CHAPTER 1.33 “ARTS COMMISSION,” AMENDING SECTION 1.33.240 OF THE ELLensburg CITY CODE, AND RELATING TO CHAPTER 2.16 “FUNDS,” AMENDING SECTION 2.16.4700 OF THE ELLensburg CITY CODE.

WHEREAS, Governor Inslee issued Proclamation 20-05 on February 29, 2020, which declared a State of Emergency for all counties throughout Washington state as a result of the coronavirus 2019 (COVID-19) pandemic outbreak; and

WHEREAS, Governor Inslee issued Proclamation 20-25, “Stay Home, Stay Healthy, on March 23, 2020, which was amended on April 2, 2020, and again on May 4, 2020 (Proclamation 20-25.3) to prohibit all people in Washington State from leaving their homes or participating in social, spiritual and recreational gatherings of any kind regardless of the number of participants, and all non-essential businesses in Washington State from conducting business, within the limitations therein, through May 31, 2020; and

WHEREAS, on March 9, 2020, the Ellensburg City Council declared a public health emergency in Ellensburg arising from the COVID-19 outbreak; and

WHEREAS, on March 13, 2020, the President of the United States declared a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak; and

WHEREAS, the Ellensburg City Council recognizes the COVID-19 outbreak due has caused the temporary closure of businesses, limitations on travel and gatherings, and resulting economic distress to all sectors of the national, state and local economy, including businesses and organizations dedicated to art advocacy and education; and

WHEREAS, those businesses and organizations dedicated to creating, supporting and providing education about the graphic and performing arts in Ellensburg provides advantages and improves the quality of life of Ellensburg’s citizens; and

WHEREAS, the Ellensburg Arts Commission held a special meeting on April 20, 2020, and voted to recommend that the City Council provide economic support for the arts, businesses and individuals up to \$60,000, to be funded from the City’s Art Acquisition Fund; and

WHEREAS, section 1.33.240(B) of the Ellensburg City Code limits spending from the Arts Acquisition Fund to art event promotion, art advocacy in Ellensburg and the wider community, and purchase of public art, but does not currently allow for support of businesses and organizations that primarily serve the Ellensburg arts community;

NOW, THEREFORE, the City Council of the City of Ellensburg, Washington do hereby ordain as follows:

Section 1. Section 1.33.240 of the Ellensburg City Code, as last amended by Section 3 or Ordinance 4710, is hereby amended as follows:

1.33.240 Budget.

A. The commission shall receive funding through the regular City budget process. Annual funding dedicated to the Arts Commission shall be the greater of either 10 percent of the previous calendar year construction sales tax proceeds or \$25,000 not to exceed \$50,000.

B. Funding to the commission shall be used for:

1. ~~a~~Art event promotion, art advocacy in Ellensburg and the wider community, and purchase of public art. The commission may also accumulate funds from year to year that would exceed the funding allocation in a single budget year. ~~Such accumulated funds may only be used for the purchase of public art.~~ The commission shall forward communications to the city council indicating the nature of the request and cost of acquisition, which shall be subject to review and approval by the city council; and

2. To provide financial support to businesses and organizations dedicated to the promotion and advocacy of graphic and performing arts in the city, up to a limit of \$60,000 total, through December 31, 2020.

C. Annually in June, the commission shall provide the City Council with a spending plan for the following year designating the amount of funding dedicated to each activity or purchase proposed for the year. Expenditures for event promotion and art advocacy shall be reviewed and approved by the City Manager or his or her designee.

Section 2. Section 2.16.4700 of the Ellensburg City Code, as last amended by Section 4 of Ordinance 4710, is hereby amended to read as follows:

2.16.4700 Established.

There is hereby established for the city a fund to be known as the “Art Acquisition Fund” for the purpose of accumulating funds for the purchase of public art or such other purpose as provided in ECC 1.33.240(B), as amended by Section 1 of Ordinance 4853.

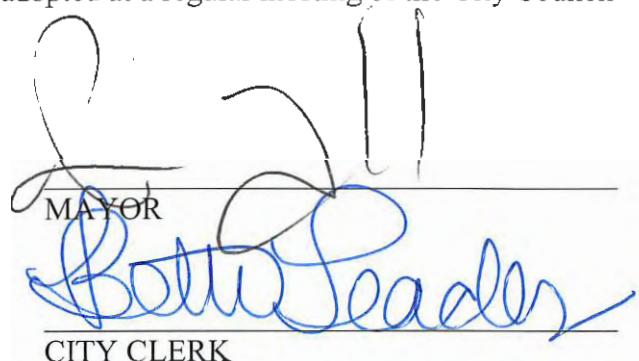
Section 3. Severability. If any portion of this ordinance is declared invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portion(s) of this ordinance.

Section 4. Corrections. Upon the approval of the City Attorney, the City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 5. Effective Date. This ordinance shall take effect and be in force five (5) days after its passage, approval and publication, and shall expire and sunset December 31, 2020 unless extended by a subsequent ordinance of the City Council.

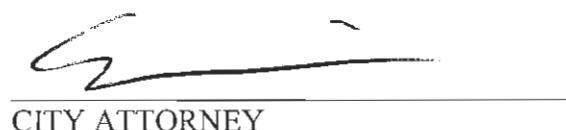
The foregoing ordinance was passed and adopted at a regular meeting of the City Council on the 1st day of June, 2020.

ATTEST:



A handwritten signature in blue ink, reading "Beth Leader", is placed over a horizontal line. Above the signature, the word "MAYOR" is printed in capital letters. Below the signature, the words "CITY CLERK" are printed in capital letters.

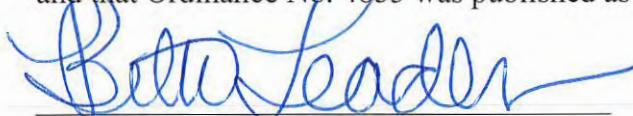
Approved as to form:



A handwritten signature in black ink, reading "S. J. [illegible]", is placed over a horizontal line. Below the signature, the words "CITY ATTORNEY" are printed in capital letters.

Publish: 6-4-2020

I, Beth Leader, City Clerk of said City, do hereby certify that Ordinance No. 4853 is a true and correct copy of said Ordinance of like number as the same was passed by said Council, and that Ordinance No. 4853 was published as required by law.



A handwritten signature in blue ink, reading "Beth Leader", is placed over a horizontal line.

Beth Leader